UNITED STATES DISTRICT COUSOUTHERN DISTRICT OF NEW Y	YORK	
LA NOUVELLE BAGUE, S.R.L.,		ζ.
	Plaintiff,	
		Index No.: 07cv10374 (RJH)
		COMPLAINT
-against-		ECF CASE
ALMOD DIAMONDS, LTD.,		
	Defendant.	_
Plaintiff, by its attorneys, the		P.C., for its complaint, alleges as

NATURE OF ACTION

follows:

1. This Complaint sets forth claims under New York State common law for breach of contract, quantum meruit, unjust enrichment and account stated.

JURISDICTION AND VENUE

- 2. This Court has jurisdiction over these claims pursuant to 28 U.S.C.§1332. The matter in controversy in this action, exclusive of interest and costs, exceeds \$75,000.
- 3. Venue is predicated upon 28 U.S.C.§1391 (a) and (c) since the Defendants reside in this district, are either found, regularly conduct and engage in business, have agents, or transact business in this district, committed torts within this district, and the acts, transactions

and violations of Defendants complained of herein occurred in whole or in part in this district.

THE PARTIES

- 4. At all times mentioned herein, Plaintiff was and is an Italian S.r.l. (a "società a responsibilità limitata"), with its principal place of business located at Corso dei Tintori, 21, Florence, Italy. An S.r.l. is a limited liability company created pursuant to the Italian Civil Code.
- 5. Upon information and belief, at all times mentioned herein, Defendant Almod Diamonds, Ltd. ("Almod") was and is a New York corporation, with its principal offices at 592 Fifth Avenue, New York, New York.
- 6. Upon information and belief, at all times mentioned herein, Defendant maintained an additional place of business at 38 West 48th Street, New York, New York.
- Upon information and belief, Defendant conducts business in the State of New York.
- 8. Upon information and belief, Defendant occasionally conducts business using the trade name or d/b/a "Diamonds International."

AS AND FOR A FIRST CAUSE OF ACTION (Breach of Contract)

- 9. At all times relevant herein, Plaintiff was engaged in the business of designing, manufacturing and selling jewelry.
- 10. Upon information and belief, at all times relevant herein, Defendant was engaged in the business of purchasing, distributing and selling jewelry.
- 11. On or about November 1, 2006, Defendant ordered and agreed to purchase from Plaintiff, and Plaintiff agreed to provide, certain jewelry products designed and manufactured by Plaintiff. Defendant sent Plaintiff five (5) written purchase orders on or about that date. Copies of

Defendant's purchase order numbers A6632, A6633, A6634, A6635, and A6636 are attached hereto as Exhibit 1.

- 12. The agreed upon price for the jewelry products ordered by Defendant from Plaintiff was \$234,693.00, plus the shipping charges that would be incurred.
- 13. Plaintiff and Defendant agreed that Defendant could receive a discount of fifteen (15%) percent, \$10,562, from the advance payment for a total discounted purchase price of \$224,131, if Defendant made an advance payment of thirty (30%) percent, or \$59,846.71, of the discounted purchase price.
- 14. On or about November 22, 2006, Plaintiff sent to Defendant a written statement of Defendant's orders containing:
 - (a) a separately stated line item for each item of jewelry ordered,
 - (b) the unit price for each such jewelry item;
 - (c) the agreed upon gross purchase price; and
 - (d) the provision for the agreed-upon advance payment and discount.

A copy of this written statement is attached hereto as Exhibit 2.

- 15. On or about November 28, 2006, Defendant agreed in writing to pay the purchase price as follows: (i) 30% in advance (less a discount of 15% of the advance payment); (ii) one third of the balance on each of sixty (60), ninety (90) and one hundred twenty (120) days following the sale of the jewelry products to the Defendant.
- 16. On or about the following day, November 29, 2006, Defendant prepared and issued its check number 9672 in the amount of \$59,846.71 and delivered said check to Plaintiff, as its advance payment of thirty (30%) percent of the purchase price pursuant to the agreement of the

parties. A copy of this check is attached to this Complaint as Exhibit 3.

- 17. The above-mentioned check was subsequently received and deposited by Plaintiff.
- 18. On or about December 15, 2007, Defendant, by email, instructed that all invoices sent pursuant to the aforementioned orders should be billed to, and confirmed they all would be paid by, Defendant, at and from its New York address.
- 19. In or about December, 2006, all of the jewelry products ordered by Defendant were delivered to, and accepted by, Defendant, with the sole exception of certain products which were shipped to Cabo San Lucas and held by Mexican customs authorities until March, 2007, at which time said remaining products were released from Mexican customs and delivered to, and accepted by, Defendant. The shipping charges incurred by Plaintiff, and charged to Defendant, were and are \$1,614.
- 20. On or about December 12, 2006, Defendant sent to Plaintiff its Invoice number 714 ("Invoice 714"), in the amount of \$13,552, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 714. A copy of Invoice 714 is attached hereto and included as part of Exhibit 4.
- 21. On or about December 12, 2006, Defendant sent to Plaintiff its Invoice number 716 ("Invoice 716"), in the amount of \$22,376, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 716. A copy of Invoice 716 is attached hereto and included as part of Exhibit 4.
- 22. On or about December 13, 2006, Defendant sent to Plaintiff its Invoice number 720 ("Invoice 720"), in the amount of \$16,051, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 720. A copy of Invoice 720 is attached

parties. A copy of this check is attached to this Verified Complaint as Exhibit 3.

- 17. The above-mentioned check was subsequently received and deposited by Plaintiff.
- 18. On or about December 15, 2007, Defendant, by email, instructed that all invoices sent pursuant to the aforementioned orders should be billed to, and confirmed they all would be paid by, Defendant, at its New York address.
- 19. In December, 2006, all of the jewelry products ordered by Defendant were delivered to, and accepted by, Defendant, with the sole exception of certain products which were shipped to Cabo San Lucas and held by Mexican customs authorities until March, 2007, at which time said remaining products were released from Mexican customs and delivered to, and accepted by, Defendant. The shipping charges incurred by Plaintiff, and charged to Defendant, were and are \$1,614.
- 20. On or about December 12, 2006, Defendant sent to Plaintiff its Invoice number 714 ("Invoice 714"), in the amount of \$13,552, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 714. A copy of Invoice 714 is attached hereto and included as part of Exhibit 4.
- 21. On or about December 12, 2006, Defendant sent to Plaintiff its Invoice number 716 ("Invoice 716"), in the amount of \$22,376, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 716. A copy of Invoice 716 is attached hereto and included as part of Exhibit 4.
- 22. On or about December 13, 2006, Defendant sent to Plaintiff its Invoice number 720 ("Invoice 720"), in the amount of \$16,051, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 720. A copy of Invoice 720 is attached

hereto and included as part of Exhibit 4.

- 23. On or about December 14, 2006, Defendant sent to Plaintiff its Invoice number 727 ("Invoice 727"), in the amount of \$24,642, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 727. A copy of Invoice 727 is attached hereto and included as part of Exhibit 4.
- 24. On or about December 14, 2006, Defendant sent to Plaintiff its Invoice number 728 ("Invoice 728"), in the amount of \$26,702, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 728. A copy of Invoice 728 is attached hereto and included as part of Exhibit 4.
- 25. On or about December 14, 2006, Defendant sent to Plaintiff its Invoice number 729 ("Invoice 729"), in the amount of \$14,883, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 729. A copy of Invoice 729 is attached hereto and included as part of Exhibit 4.
- 26. On or about December 14, 2006, Defendant sent to Plaintiff its Invoice number 730 ("Invoice 730"), in the amount of \$19,451, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 730. A copy of Invoice 730 is attached hereto and included as part of Exhibit 4.
- 27. On or about December 15, 2006, Defendant sent to Plaintiff its Invoice number 731 ("Invoice 731"), in the amount of \$11,887, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 731. A copy of Invoice 731 is attached hereto and included as part of Exhibit 4.
 - 28. On or about December 15, 2006, Defendant sent to Plaintiff its Invoice number 732

("Invoice 732"), in the amount of \$13,944, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 732. A copy of Invoice 732 is attached hereto and included as part of Exhibit 4.

- 29. On or about December 18, 2006, Defendant sent to Plaintiff its Invoice number 733 ("Invoice 733"), in the amount of \$20,212, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 733. A copy of Invoice 733 is attached hereto and included as part of Exhibit 4.
- On or about December 18, 2006, Defendant sent to Plaintiff its Invoice number 734 30. ("Invoice 734"), in the amount of \$18,590, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 734. A copy of Invoice 734 is attached hereto and included as part of Exhibit 4.
- 31. On or about December 18, 2006, Defendant sent to Plaintiff its Invoice number 737 ("Invoice 736"), in the amount of \$16,469, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 737. A copy of Invoice 737 is attached hereto and included as part of Exhibit 4.
- 32. On or about December 18, 2006, Defendant sent to Plaintiff its Invoice number 737 ("Invoice 737"), in the amount of \$17,582, for the agreed-upon and reasonable value of the jewelry products ordered by Defendant and itemized in Invoice 737. A copy of Invoice 737 is attached hereto and included as part of Exhibit 4.
- Defendant has made no payments to Plaintiff since its November 29th payment of 33. \$59,846.71.
 - Of the above-mentioned purchase price, plus the shipping charges of \$1,614, the 34.

sum of \$164,016.29 remains unpaid, despite demand therefor.

- 35. Defendant did not object to the amounts set forth in the purchase orders, or the November 22nd written statement or the invoices.
- 36. Plaintiff has duly performed all the terms and conditions of its contract with Defendant.
- 37. By reason of the foregoing, Defendant has breached its contract with Plaintiff, upon which the sum of \$164,016.29 remains unpaid, and Plaintiff has sustained damages in an amount of approximately \$164,016.29, together with interest from February 18, 2007, incidental costs and disbursements.

AS AND FOR A SECOND CAUSE OF ACTION (Quantum Meruit)

- 38. Plaintiff repeats, reiterates and realleges each and every allegation set forth in paragraphs 1 through 36, above, as if more particularly set forth at length herein.
- 39. Plaintiff provided the jewelry products itemized and set forth in the invoices (Exhibit 4) in December 2006 and March 2007.
- 40. The Defendant ordered these jewelry products and received a benefit from Plaintiff in the form of the jewelry products.
- 41. A reasonable person ordering and receiving shipment of the jewelry products delivered by Plaintiff to Defendant would normally expect to pay for them in the ordinary course of common events.
- 42. The Defendant knew that Plaintiff expected to be paid for the jewelry products that Plaintiff provided to Defendant.

43. By reason of the foregoing, the balance of \$164,016.29 remains overdue and unpaid by Defendant to Plaintiff, and Plaintiff has sustained damages for the reasonable value of the jewelry products in the amount of approximately \$164,016.29, together with interest accruing from February 18, 2007.

AS AND FOR A THIRD CAUSE OF ACTION (Unjust Enrichment)

- 44. Plaintiff repeats, reiterates and realleges each and every allegation set forth in paragraphs 1 through 36, and 39 through 42, above, as if more particularly set forth at length herein.
- 45. Plaintiff has provided the jewelry products to the Defendant and has duly performed all the terms and conditions on its part to be performed.
- 46. Defendant has refused to pay the full and reasonable amount set forth in the invoices (Exhibit 4), despite Plaintiff's demand therefor.
- 47. Since Defendant received the jewelry products and has not paid the full and reasonable amount set forth in the invoices, Defendant was unjustly enriched.
- 48. By reason of the foregoing, the balance of \$164,016.29 remains overdue and unpaid by Defendant to Plaintiff, and Plaintiff has sustained damages for the reasonable value of the jewelry products in the amount of approximately \$164,016.29, together with interest accruing from February 18, 2007.

AS AND FOR A FOURTH CAUSE OF ACTION (Account Stated)

49. Plaintiff repeats, reiterates and realleges each and every allegation set forth in paragraphs 1 through 36, 39 through 42, and 45 through 47, above, as if more particularly set forth at length herein.

- 50. On or about April 10, 2007, and several times thereafter, Plaintiff sent a statement of account to Defendant, setting forth the amounts due and owing. A copy of the statement is attached hereto as Exhibit 5.
- 51. For the foregoing invoices (Exhibit 4), an account has been stated between Plaintiff and Defendant in the amount of \$164,016.29.
- 52. Of the amount stated to be due and owing, Defendant has paid no portion thereof, despite demand therefor.
- 53. Since the time of the statement of the account, Defendant has made no objection whatsoever to the amount stated to Plaintiff, but has made no payment since on or about November 29, 2006, when it paid the sum of \$59,846.71, leaving a balance due and owing in the amount of \$164,016.29.

WHEREFORE, Plaintiff demands judgment against Defendant in the amount of \$164,016.29, together with interest from February 18, 2007, costs and disbursements, and for such other and further relief as this Court may deem just and proper.

VINCENTI & VINCENTI, P.

By: // // John V. Vincenti (JVV-1754)

A Member of the Firm

80 Broad Street, Suite 1200 New York, New York 10004 (212) 509-4600

Attorneys for Plaintiff

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-	B2646	M35	INDIA	MEDIUM BANGLE - BRONZE WORANGE REFLECTS	1097		1.097,00
-	B2647	M35	INDIA	MEDIUM BANGLE - BRONZE WORANGE REFLECTS	1630		1.630,00
-	A2593	M35	INDIA	RING - BRONZE W/ORANGE REFLECTS - SIZE 7.5	2042		2.042,00
-	B2577	A60	INDIA	BANGLE - ORANGE SHADES	2197		2.197,00
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1 B	B1804	M35	STACKABLE			516		3 2
1	A2557	M35	INDIA	SIZE 7		1309		3 9
1 V	A2646	R40	INDIA	DI RING (SIZE 6.5)		1720	1.720,00	3
-	A2528	2	AIUNI	SIZE 6.5		2296	\$ 2.296,00	2
	B2646	2	INDIA			1097		<u>გ</u>
	B2647	z	INDIA			1630		00
2 B	B1804	z	STACKABLE			516	1.032,00	<u>ട</u>
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UNITS:	D40" m	inch bo "elv	"DAO" must be "doon" redierance with coldlicht reflects	nold/light reflects			101AL COS1: \$ 33.121.00	ද
٦	2#2	usi ne u	eep reurorange wung	golding i e li e ces.				

Monic	Monica Giambattista	battista			do 305 James Street, N. Hamilton, Ontarro, L872 214	set, N. BR 2L4		
la no	la nouvelle bague -	bague	e - ORDER		Phone: 410-970-9009 Fax. e-mail: monica.g@bt	ellnet.ca		
BILL TO:		nod Diam	onds Ltd.			DATE:		
SHIP TO:		HAMAS (BAHAMAS (SEE INSTRUCTIONS)			DELIVERY DATE:	NOV. 30	
						BUYER:	Donna Gad	ad
	표	PHONE:				PO#	A6636	
						TINO	5	TOTAL
αTY	STYLE#	COLOR	COLLECTION		DESCRIPTION	COST		COST
							€	1
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							↔	1
_	B2631	B20	INDIA			3860	မာ	3.860,00
-	B2577	B20	INDIA			2197	\$	2.197,00
-	C4125	B20	INDIA	CLOSURE AT 16" and 18"		2055	€>	2.055,00
-	01507	B20	INDIA			2890	€	2.890,00
-	B2647	B20	INDIA			1630	↔	1.630,00
-	B1804	B20	INDIA			516	ь	516,00
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-	A2557	B20	INDIA	SIZE 7		1309	မာ	1.309,00
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-	B2635	R40	INDIA			3342	↔	3.342,00
-	B2577	R40	INDIA			2197	↔	2.197,00
	A2528	R40	INDIA	SIZE 7		2296	ઝ	2.296,00
-	A2593	M35	INDIA	RING - SIZE 6.5		2042	↔	2.042,00
τ-	B2646	M35	INDIA			1097	မှာ	1.097,00
-	B2647	M35	INDIA			1630	မှ	1.630,00
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-	B2646	z	INDIA			1097	(5)	1.097,00
-	B2647	z	INDIA			1630	\$	1.630,00
-	A2593	z	INDIA	SIZE 7		2042	ક્ક	2.042,00
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UNITS:							TOTAL	TOTAL COST:
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ALMOD DIAMONDS LIMITED - PROCESSING DEPT. 38 W 48TH ST.7TH FLOOR

Date

novembre 22, 2006

10036 NEW YORK, N.Y. STATI UNITI,

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Γ							Di
Qty	Sty	/le / Descript	ion	Unit Price	Total	US\$	Discount
<u>' 1</u>	A	2287 BIN	"NEW POP BIANCO" RING	2.631,00		2.631,00	
	Α	2287 NB2	"NEW POP BIANCO" RING	2.631,00		2.631,00	
1	A	2421 RL6	"I FIORI SMALTI" RING	2.269,00		2.269,00	
1	A	2528 B20	"INDIA PREZIOSA ORO BIANCO" RING	- 2.296,00		2,296,00	
1	Α	2528 M35	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	p.	2528 N	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	Α	2528 R40	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	Α	2528 R40	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	A	2528 R40	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	A	2528 R40	"India preziosa oro bianco" ring	2.296,00		2.296,00	
1	A	2528 R40	"INDIA PREZIOSA ORO BIANCO" RING	2.296,00		2.296,00	
1	A	2529 B20	"INDIA PREZIOSA" RING	2,007,00		2.007,00	
1	A	2530 B20	"INDIA PREZIOSA ORO BIANCO" RING	2.227,00		2.227,00	
1	Α	2530 B20	"INDIA PREZIOSA ORO BIANCO" RING	2.227,00		2.227,00	
1	A	2530 B20	"INDIA PREZIOSA ORO BIANCO" RING	2.227,00		2.227,00	
1	Α	2557 A60	"India preziosa oro bianco" ring	1.309,00		1.309,00	
1	A	2557 B20	"INDIA PREZIOSA ORO BIANCO" RING	1.309,00		1.309,00	
1	A	2557 B20	"INDIA PREZIOSA ORO BIANCO" RING	1.309,00		1.309,00	
1	Α	2557 B20	"INDIA PREZIOSA ORO BIANCO" RING	1.309,00		1.309,00	
1	A	2557 M35	"INDIA PREZIOSA ORO BIANCO" RING	1.309,00		1.309,00	
1	A	2557 R40	"INDIA PREZIOSA ORO BIANCO" RING	1.309,00		1.309,00	
	A	2593 M35	"INDIA PREZIOSA" RING	2.042,00		2.042,00	
	A	2593 M35	"INDIA PREZIOSA" RING	2.042,00		2.042,00	
	Α	2593 M35	"INDIA PREZIOSA" RING	2.042,00		2.042,00	
	A	2593 M35	"INDIA PREZIOSA" RING	2.042,00		2.042,00	
	A	2593 M35	"India preziosa" ring	2.042,00		2.042,00	
	A	2593 N	"INDIA PREZIOSA" RING	2.042,00		2.042,00	
	A	2602 N	"ROSE PREZIOSE" RING	2.106,00		2.106,00	
	Λ	2638	"INDIA PREZIOSA" RING	1.790,00		1.790,00	
	A	2656 B20	"MARGHERITE" RING	2.005,00		2.005,00	
	A	2656 R40	"MARGHERITE" RING	2.005,00		2.005,00	
	В	1804 A60	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	В	1804 A60	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	В	1804 B10	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	В	1804 B10	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	В	1804 B20	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	В	1804 B20	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
	. B	1804 B20	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	
1	B	1804 BIN	"FIORI SMALTO PICCOLI" BRACELET	516,00		516,00	

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ALMOD DIAMONDS LIMITED - PROCESSING DEPT. 38 W 48TH ST.7TH FLOOR

Date

novembre 22, 2006

10036 NEW YORK, N.Y. STATI UNITI,

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Qty	Sty	/le / Descrip	otion	Unit Price	Total US	
1	В	1804 GP	"FIORI SMALTO PICCOLI" BRACELET	516,00	516	
1	В	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	516,00	516	
	13	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
1	В	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	. 516,00		,00
1	В	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
1	B	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
1	В	1804 M35	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
2	В	1804 N	"FIORI SMALTO PICCOLI" BRACELET	516,00	1.032	
	В	1804 N	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
	B	1804 R40	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
	В	1804 R40	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
	В	1804 R40	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
	В	1804 R40	"FIORI SMALTO PICCOLI" BRACELET	516,00		5,00
	B	1804 R40	"FIORI SMALTO PICCOLI" BRACELET	516,00		,00
	В	1804	"FIORI SMALTO PICCOLI" BRACELET	516,00		5,00
1		1885 BIN	"NEW POP BIANCO" BRACELET	4,661,00	4.661	
	8	2577 A60	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	В	2577 A60	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	В	2577 B20	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	В	2577 B20	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	В	2577 B20	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	B	2577 R40	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	В	2577 R40	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2,197	
	B	2577 R40	"INDIA PREZIOSA ORO BIANCO" BRACELET	2.197,00	2.197	
	H	2621 BIN	""ROSE PREZIOSE ORO BIANCO" BRACELET	5.196,00	5.196	
	В	2631 B20	"INDIA" BRACELET	3.860,00	3.866	
	В	2631 B20	"INDIA" BRACELET	3.860,00	3.860	
	В	2631 B20	"INDIA" BRACELET	3.860,00	3.860	
	В	2631 B20	"INDIA" BRACELET	3,860,00	3.869	
	В	2631 N	"INDIA" BRACELET	3.860,00	3.860	
	B	2631 R40	"INDIA" BRACELET	3.860,00	3.860	
	В	2631 R40	"INDIA" BRACELET	3.860,00	3.860	
	Ħ	2631 R40	"INDIA" BRACELET	3.860,00	3,86	
	В	2635 B20	"INDIA PREZIOSA" BRACELET	3.342,00	3,34:	
	В	2635 R40	"INDIA PREZIOSA" BRACELET	3.342,00	3.342	
	B	2635 R40	"INDIA PREZIOSA" BRACELET	3.342,00	3.347	
	B	2635 R40	"INDIA PREZIOSA" BRACELET	3.342,00	3,34	
	В	2636 R40	"INDIA PREZIOSA" BRACELET	3.827,00	3.827	
1	B	2646 B20	"INDIA PREZIOSA" BRACELET	1.097,00	1.097	, uu

ALMOD DIAMONDS LIMITED - PROCESSING DEPT. 38 W 48TH ST.7TH FLOOR

Date

novembre 22, 2006

10036 NEW YORK, N.Y. STATI UNITI,

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Qty	Style / Descri	ption	บ	nit Price	Total	US\$	Discount
1	B 2646 B20	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 B20	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 M35	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1		"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1		"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 M35	"INDIA PREZIOSA" BRACELET		1.097,00	•	1.097,00	
1	B 2646 N	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 N	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 N	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2646 R40	"INDIA PREZIOSA" BRACELET		1.097,00		1.097,00	
1	B 2647 B20	"INDIA PREZIOSA" BRACELET		1.630,00		1,630,00	
1	B 2647 B20	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1		"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1		"INDIA PREZIOSA" BRACELET		1.630,00		1,630,00	
1	B 2647 M35	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1	B 2647 M35	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1	B 2647 M35	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1	B 2647 M35	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
ī		"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1		"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1		"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1		"INDIA PREZIOSA" BRACELET		1,630,00		1.630,00	
	B 2647 R40	"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
ī		"INDIA PREZIOSA" BRACELET		1.630,00		1.630,00	
1	B 2783 BIN	"INDIA PREZIOSA" WHITE GOLA BRACELET		3,977,00		3,977,00	
1	B 2783 BIN	"INDIA PREZIOSA" WHITE GOLA BRACELET		3.977,00		3.977,00	
1		"NEW POP BIANCO" NECKLACE		5.353,00		5.353,00	
ī		"INDIA PREZIOSA" necklace		2.055,00		2.055,00	
1		"INDIA PREZIOSA" necklace		2.055,00		2.055,00	
1		"INDIA PREZIOSA" necklace		2.055,00		2.055,00	
1	C 4125 B20	"INDIA PREZIOSA" necklace		2.055,00		2.055,00	
1	C 4161 NB2	"ROSE PREZIOSE" NECKLACE		2.930,00		2.930,00	
1	C 4161 NB2	"ROSE PREZIOSE" NECKLACE		2.930,00		2.930,00	
1		"INDIA PREZIOSA" NECKLACE		4.220,00		4.220,00	
1	C 4162 R40	"INDIA PREZIOSA" NECKLACE		4.220,00		4.220,00	
1	C 4162 R40	"INDIA PREZIOSA" NECKLACE		4.220,00		4.220,00	
	C 4439 BIN	"INDIA PREZIOSA" WHITE GOLD NECKLACE		3.189,00		3.189,00	
	C 4439 BIN	"INDIA PREZIOSA" WHITE GOLD NECKLACE		3,189,00		3,189,00	
	O 1507 B20	"INDIA PREZIOSA ORO BIANCO" EARRINGS		2.890,00		2.890,00	
Total Dia	monds:	51,967	Shipping	•		·	
Totale G	old :	2.191,020	Total Shipping	US\$		0,00	
		·	Total	US\$	23	4.693,00	
			i OMi	004	20	,00	

TOTAL PROFORMA INVOICE RELATIVE TO YOUR FOLLOWING ORDERS:

BANK DETAILS FOR THE TRANSFER:

BARBADOS PO # A6633 \$ 27,276.00
BARBADOS PO # A6633 \$ 27,718.00
BARBADOS PO # A6633 \$ 22,156.00
BAHAMAS PO # A6636 \$ 33,894.00
CABO SAN LUCAS PO # A6634 \$ 50,824.00
COZUMEL PO # A6635 \$ 33,406.00 PO# A6632 S 50,824.00 ST.THOMAS TOTAL \$234,693.00

MONTE DEI PASCHI DI SIENA BRANCH – VIA DEI PECORI FIRENZE C/C 49790,45 ABI 1030 **CAB 2800**

IBAN CODE IT91N0103002800000004979045 SWIFT CODE: PASCITMM.FIR

PAYMENT: 30% IN ADVANCE DISCOUNT 15%

30% = \$ 70,407.90 -15% \$ 10,561.18 = TOTAL NET DUE AS ACCOUNT \$ 59,846.71

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Case 1:07-cv-10374-RJH Document 1-3 Filed 11/16/2007 Page 1 of 14 ALMOD DIAMONDS LIMITED-PROCESSING DEPT. - BARBADE 0200202774 38 % 48TH ST.7TH FLOOR 10086 NEW YORK, K.Y. - Sirili STATE UNITE. ENDEDLIDE ELINAZIONE TI DINA S.D. AVV KXXXXXX LOWER BROAD ST Corso del Tintori, 21 - 50122 Firenze BRIDGETOWN, BAPBADOS B.W.I. Tel. (055) 244911/12 - Telefax 2479090 Codice Fiscale 01229690480 Trib. Fl Reg. Soc. 24816 - C.C.I.A.A. Fl 259867 VARIAZIONI **DOCUMENTO DI TRASPORTO - FATTURA** (D.P.R. 472/96) PAGAMENTO / TERMS OF PAYMENT PAGINA DOCUMENTO / INVOICE PARTITA IVA ## [NVO]CE## BANCA E AGENZIA / BANK 714 12-12-2006 1 di 1 30% IN ADVANCE- BOLD 60-90-120 DAYS ORDINE A MEZZO / ORDERED BY VALORE TOTAL PRICE QUANTITA QUANTITY DESCRIZION REFERENZA VARIAZ, MET. ĄL. UNIT PRICE BR.KT **训5**争 SANDY LANE P.D. A-4633 00,156.5 104 "NEW POP DIANCO" RING 2287 9IN 0.786 2.631.00 2.269,00 2.269.00 į (ir. 2421 RLA 0.337 "I FIORI SHALTI" RING 5,953,00 5.353,00 104 "NEW POP BIANCO" HECKLACE 2823 BIN 1.268 1 3.189.00 3.187.00 104 "INDIA PREZIOGA" WHITE GOLD NECKLACE 4439 BIN 0.636 RINGS Nr. 2,00 NECKLACES Nr. 2,00 TOT. VALORE/TOTAL NET VALUE | TRASPORTO / SHIPPING TOT, VALORE/TOTAL VALUE | SCONTO %/DISCOUNT 0,00 13,442,00 110,00 13.442,00 ALIQUOTA IMPORTO IVA o DESCRIZIONE ESENZIONE IMPONIBILE 13.552,00 ES. ART. E 13.552,00 104 TOTALE IVA 9,00 US\$: 13,552,00: RIEPILOGO SCADENZE E IMPORTI TOT. CARATI / TOTAL CARATS TOT. GR. AV. BRILL SOLD 750

. CAUSALE DEL TRASPORTO

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DATA

VENDITA

RESA

VETTORI

3,021

FIRMA DESTINATARIO

FIRMA

135,650

Case 1:07-cv-10374-RJH Document 1-3

Corso del Tintori, 21 - 50122 Firenze

Filed 11/16/2007 Page 2 of 14

0200202774 ALMOD DIAMONDS LIMITED-PROCESSING DEPT. - BARBADO 38 W 48TH-S7.7TH FLOOR

10035 NEW YORK, N.W. STATE UNITE:

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Case 1:07-cv-10374-RJH ENAM?**1/16/2007 Document 1-3 Page 3 of 14 OTAMINOS LIMITED-PROCESSING DEPT. - PARBADO 38 ¥ 48TH ST.7TH FLOOR 10096 NEW YORK. N.Y. STATE UNITE: s.r.l. EUOGO/DI DESTINAZIONET Y DIAM S.P.axxx LOWER BROAD ST XXXXXXX Corso dei Tintori, 21 - 50122 Firenze .I.w.8 EDGABARG .MUCTERDINE Tel. (055) 244911/12 - Telefax 2479090 Codice Fiscale 01229690480 Trib. Fl Reg. Soc. 24816 - C.C.I.A.A. Fl 259867 VARIAZIONI **DOCUMENTO DI TRASPORTO - FAITURA** PAGAMENTO / TERMS OF PAYMENT PARTITA IVA PAGINA BOY IN ADVANCE- BOLD 60-90-120 DAYS 13-12-2006 1 di i ** INADICE+* ORDINE A MEZZO / ORDERED BY BANCA E AGENZIA / BANK VALORE TOTAL PRICE PREZZO UNIT PRICE DESCRIZIONE QUANTITA VARIAZ, MET. BR.KT USS WATCH & DESIGN -P.O. A-6633 "INDIA" BRACELET 2631 840 0.957 3.840,00 3.860,00 104 104 8631 N 0.957 3,040.00 3,850,00 "INDIA" DRACELET 1,097,00 1.097,00 [96 2646 M35 0,049 "INDIA PREZIOSA" BRACELET 1,097,00 1.077,00 104 2646 920 0,069 "INDIA PREZIOSA" BRACELET 1,097,00 1.097,00 104 2646 N 0.069 "INDIA PREZIOSA" DRACELET . 1,620,00 1,630,00 104 "INDIA PREZIOSA" BRACELET 2647 M35 0,390

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Corso dei Tintori, 21 - 50122 Firenze

DESTINATIO/ADHESIS /2007 Page 4 of 14

> ALMOD DIAMONDS LIMITED-PROCESSING NEPT- ST. THE 0200202773 38 W 48TH-67.7TH FLOOR

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Filed 11/16/2007 Page 5 of 14

0200202773 ALMOD DIAMONDS LIMITED-PROCESSING DEPT- ST. THE 38 W 48TH ST.7TH FLOOR

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	Tel. (055) 2449 Codice F Trib. FI Reg. Soc.	ntori, 21 - 5012 911/12 - Telefa Fiscale 01229690 24816 - C.C.I.A./	x 2479090 0480 A. FI 259867	TXXXXXX	TAN AE)2 US VIR	GIN ISLAND		
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Case 1:07-cv-10374-RJH Document 1-3 A NOUVELLE BAGUE STRIKE

Corso dei Tintori, 21 - 50122 Firenze
Tel. (055) 244911/12 - Telefax 2479090 ·
Codice Fiscale 01229690480
Trib. Fl Reg. Soc. 24816 - C.C.I.A.A. Fl 259867

Filed 11/16/2007 Page 6 of 14

0200202888 ALMOD DIAMONDS LIMITED - PROCESSING DEPT - BAHA 38 W 49TH-ST.7TH FLOGR

10035 NEW YORK, W.Y. STATE UNITE.

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P.O. BOX N.7514 282, BAY STREET NASSAU - BAHAMAS

DOCUMENTO DI TRASPORTO - FATTURA VARIAZIONI

(D.P.R. 472/98)

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DESTINATION ADMESS PER PAGE 7 of 14

02002020888 ALMOD DIAMONDS LIMITED - PROCESSING DEPT - SAHA 38 W 49TH ST.7TH FLOOR

10036 NEW YORK, N.Y. STATE UNITE;

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Case 1:07-cv-10374-RJH

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Corso dei Tintori, 21 - 50122 Firenze

DESTINATARIO/ADRESSEE/2007 Page 8 of 14

0200202774 ALMOD DIAMONDS LIMITED-PROCESSING DEPT.-PARDADO 38 W 48TH-ST, 7TH FLOOR

10036 NEW YORK, N.Y. STATI UNITL

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XXXXXXX Corso del Tintori, 21 - 50122 Firenze Tel. (055) 244911/12 - Telefax 2479090 Codice Fiscale 01229690480

Eilad 11/16/2007 Page 10 of 14

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DIUSVI DEL PACIFICO S DE RL DE C.V/16 DE SEPTIC 0200202838 S/N EL ARENAL, REVOLTAJEA BASILIÓ PISO 4

10006 CABO S.LUCAS BCS MEX MESSICO

MESSICO

LUOGO DI DESTINAZIONE

	Trib. Fl Reg. Soc. 2	24816 - C.C.I.A.A										
	DOCUMENTO	DI TRASPORTO -	FATTURA		\\	ARIAZIONI						
DOCUMENTO /		NUMERO	DATA	PAGINA	PA	ARTITA IVA		PAGA	MENTO / TERMS	OF PAYMEN	NT	
## [NV[]] BANCA E AGEN		733	18-12-2066	1 đị 1					IN ADVANCE		60-90-120	DAYC
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VETTORI .						DATA	ORA	FIRMA				

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Case 1	:07-cv-10374-RJH	Document 1-3	DI	iled 11/16 estinatario/adresse	2007	Page	11 of 14		
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	Corso dei Tintori, 21 - 50 Tel. (055) 244911/12 - Tele Codice Fiscale 012296 Trib. Fi Reg. Soc. 24816 - C.C.I	122 Firenze efax 2479090 90480	XXXX						
	DOCUMENTO DI TRASPORT (D.P.R. 472/96)	O - FATTURA	V	ARIAZIONI	•			•	
DOCUMENTO /	INVOICE NUMERO	DATA PAGINA	. P/	ARTITA IVA		PAGAMENTO	/ TERMS OF PAYM	ENT .	=
## [NVD		ih i 4005-51-81 :	1				ADVANCE- SOL	D 60-90-120 D	PAYE
3						PREZZO		VALORE	
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1 1 2 3 1	P.O. A 4634 MERCE DI URIGINE PREFEREN; "FIORI SMALTO PICCOLI" BRI "INDIA" BRACELET "INDIA PREZIOSA" BRACELET "INDIA PREZIOSA" BRACELET "INDIA PREZIOSA" BRACELET "INDIA PREZIOSA" NECKLACE "INDIA PREZIOSA" NECKLACE			1804 R40 2631 R40 2635 R40 2646 M35 2647 R40 4125 B20 4162 R40	0,040 0,951 0,987 0,069 0,390 0,390	516,00 3,860,00 3,342,00 1,630,00 1,630,00 3,035,00 4,220,00		3.860,00 3.342,00	104 104 104 104 104 104
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BRACELETS Nr. 6,00 NECKLACES Nr. 2,00

TOT. VALORE/TOTAL VALUE | SCONTO %/DISCOUNT | VALORE SC/DISCOUNT VALUE | TOT. VALORE/TOTAL NET VALUE | TRASPORTO / SHIPPING | IMBALLO / PACKAGING 18,350,00 240,00 18.350,00 0,00 ALIQUOTA TOT. IMPONIBILE e/o ESENTE IMPORTO IVA o DESCRIZIONE ESENZIONE IMPONIBILE 18.590,00 : 18,590,00 ES. ART. 8 104 TOTALE IVA 9,00 TOTALE FATTURA / TOTAL INVOICE 18.570,00 RIEPILOGO SCADENZE E IMPORTI TOT. CARATI / TOTAL CARATS TOT. GR. AV. BRILL GOLD 750 4,460 173,140

CAUSALE DEL TRASPORTO

ASPETTO ESTERIORE DEI BENI

VENDITÀ

RESA

RESA

REQUI PESO NETTO PESO LORDO TRASPORTO A CURA DEL DATA ORA FIRMA CONDUCENTE

UM. D. V.

VETTORI

DATA ORA FIRMA

S.P.AXXX LUOGO DI DESTINAZIONE

77600 B.ROO COZUNEL NEX

0200203189 · DIUSVI DIAMDNDS SA DE C! 5 AVE 5.8488. ENTRE 5 Y 7 COLONIA CENTRO

MESSICO

	Tel. (0	55) 244911/ Codice Fiscal	/12 - Telefax : le 0122969048 i16 - C.C.I.A.A. (2479090 30								
,	. (D.	DCUMENTO DI T P.R. 472/96)	TRASPORTO - F	ATTURA		VAR	AZIONI				•	
DOCUMENTO /	INVOICE		NUMERO	DATA	PAGINA	PAR	TITA IVA		PAGAMEN	TO / TERMS OF PAY	IENT	
## [NVD]			736	18-12-2006	1 di 1					ADVANCE- SO		DAYS
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Case 1:07-cv-10374-RJH

Document 1-3



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Corso dei Tintori, 21 - 50122 Firenze Tel. (055) 244911/12 - Telefax 2479090 DESIGNATION Page 13 of 14

0200203180 DIUEVI DIAMONDO SA DE CV 5 AVE 5,4468. ENTRE 5 Y 7 COLONIA CENTRO

77400 0.ROO COZUNEL MEX MESSICO LUOGO DI DESTINAZIONE

	Codice Trib. Fl Reg. Soc	Fiscale	012296904	480									
	DOCUMENT		RASPORTO -	FATTURA		VA	RIAZIONI						
DOCUMENTO /	•	')	NUMERO	DATA	PAGINA	PAI	HTITA IVA		PAGAM	ENTO / TERMS OF	PAYMENT		
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VETTORI							DATA .	ORA	FIRMA				



STATEMENT ALMOD DIAMOND LTD

NVOICE	DATE			OUR ORDER REF.	P.O. NUMBER
714	12/12/06	\$	13 552 00	462 - 10/26/06	A6633 - 10/26/06
716	12/12/06		·	463 - 10/26/06	A6633 - 10/26/06
720	12/13/06	•	·	464 - 10/26/06	A6633 - 10/26/06
727	12/14/06	\$	24.642,00	479 - 11/06/06	A6632 - 07/27/06
728	12/14/06	\$	26.702,00	479 - 11/06/06	A6632 - 07/27/06
729	12/14/06	\$	14.883,00	461 - 10/26/06	A6636 - 10/26/06
730	12/14/06	\$	19.451,00	461 - 10/26/06	A6636 - 10/26/06
731	12/15/06	\$	11.887,00	464 - 10/26/06	A6633 - 10/26/06
732	12/15/06	\$	13.944,00	462 - 10/26/06	A6633 - 10/26/06
733	12/18/06	\$	20.212,00	460 - 10/26/06	A6634 - 10/26/06
734	12/18/06	\$	18.590,00	460 - 10/26/06	A6634 - 10/26/06
. 736	12/18/06	\$	16.469,00	507 - 10/26/06	A6635 - 10/26/06
737	12/18/06	\$	17.582,00	507 - 10/26/06	A6635 - 10/26/06
ĆREDIT NOTE	TOTAL	\$	236.341,00		
2	01/31/07	\$	-1.916,00		
5	03/14/07	\$	-10.562,00	Y	
PAYMENT	CHEQUE	\$	-59.846,71		
TOTAL OUR CREDIT		\$	164.016,29		